

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

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| In re: |) | |
| JUAN PABLO VALDEZ |) | Case No. 24-12446-JDL |
| Debtor(s) |) | Chapter 13 |

DEBTOR'S OBJECTION TO TRUSTEE'S LIMITED MOTION TO STAY ORDER
PENDING DETERMINATION OF APPEAL WITH NOTICE OF OPPORTUNITY FOR
HEARING COMBINED WITH NOTICE OF HEARING

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102 no later than 14 (fourteen) days from the date of filing of this request for relief. You should also serve a file stamped copy of your response to the undersigned [and others who are required to be served] and file a certificate of service or affidavit of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

NOTICE FOR HEARING

(TO BE HELD IF A RESPONSE IS FILED)

You are hereby notified that a hearing on Debtor's Objection to Proof of Claim filed by American Honda Finance Corporation is set for hearing on March 11, 2025, at 2:00 P.M., before Judge Loyd, 215 Dean A. McGee Avenue, 2nd Floor Courtroom, Oklahoma City, Oklahoma. If no response is timely filed and the Court grants the requested relief prior to the above-referenced hearing date, the hearing will be stricken from the docket of the Court.

COMES NOW the Debtor, by and through his attorney of record, Jeffrey E. West, in the above captioned case, objects to the Limited Motion to Stay Order Pending Determination of Appeal, filed by John Hardeman, Chapter 13 Trustee on February 11, 2025, and in support thereof alleges and states as follows:

1. That the debtor filed his Voluntary Petition for Relief under Chapter 13 under the United States Bankruptcy Code on August 30, 2024. The case was confirmed on January 29, 2025.
2. Unsecured creditor, Humberto Trejo Dominguez, filed an Appeal challenging the Confirmation order in BAP No. WO-25-7 on February 5, 2025.

3. Debtor asserts that it is fundamentally unfair for the debtor to make his plan payments to the Trustee for his mortgage and the Trustee is not allowed to disburse those mortgage payments during the pendency of the Appeal. As of February 21, 2025, the debtor has paid \$4,114.14 into the plan and is paying his plan payment of \$1,796.37 in February 2025, and nothing has been disbursed. The debtor is complying with the Court's order to make the plan payments timely.
4. Debtor asserts that if the mortgage company does not receive funds, a potential Motion for Relief may be filed, and the debtor may lose his home during the Appeal process. This is unfair to the debtor and the mortgage company and in contradiction of the spirit of bankruptcy.

WHEREFORE, Debtors respectfully request that your Honorable Court allow the Trustee's Limited Motion to Stay Order Pending Determination of Appeal and set this matter for a hearing on the merits and order such other and further relief as is just and proper.

Dated: February 21, 2025.

/s/ Jeffrey E. West
JEFFREY E. WEST, OBA #18871
Attorney for Debtor(s)
2525 NW Expressway, Ste 531
Oklahoma City, OK 73112
(405) 616-4949
(405) 225-2700 (fax)
jeff@westbklaw.com

CERTIFICATE OF MAILING

I certify that on the February 21, 2025, a true and correct copy of the above Objection was electronically served using the CM/ECF system, namely: John Hardeman, Chapter 13 Trustee. Further, I certify that on the February 21, 2025 copies of the Objection were forwarded via U.S. Mail, first class, postage prepaid and properly addressed to the following at the addresses shown below:

John Hardeman
PO Box 1948
OKC, OK 73101

Humberto Trejo Dominquez
c/o Cody D. Kearns, Attorney for Dominquez
110741 West 33rd Street, Suite 120
Edmond, OK 73013

/S/ Jeffrey E. West
JEFFREY E. WEST